



## *State of New Jersey*

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RICHARD J. CODEY  
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### **CODEY ANNOUNCES FIRST SETTLEMENT UNDER STATE'S DO NOT CALL LAW**

#### ***Company Agrees to Pay \$151,500 to Resolve Lawsuit***

(TRENTON) – Governor Richard J. Codey today announced the state has settled a lawsuit with a Union Township business for alleged violations of the state's Do Not Call Law, the first such telemarketing case to be resolved.

"We won't tolerate those who violate the law and intrude upon our residents when they are enjoying quality time at home with their families," Codey said. "Peace and quiet is a precious commodity in our fast-paced world, and it shouldn't be disrupted by unwanted intrusions."

Total Remodeling, Inc. ("Total Remodeling") agreed to pay \$151,500 and comply with provisions of the state's Do Not Call Law under terms of the settlement filed in State Superior Court in Union County. The state filed suit against the company last May.

"We will continue to protect consumers from unwanted calls that disrupt important family time," Attorney General Peter Harvey said. "New Jersey consumers should not be harassed by telephone sales pitches, which are as annoying as door-to-door solicitations."

New Jersey residents who registered for the No Telemarketing Call List filed complaints with Consumer Affairs alleging that they received telemarketing calls by or on behalf of Total Remodeling. The state also alleged that the company made telemarketing calls without being registered with Consumer Affairs as legally required.

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Deputy Attorney General Nicholas B. Armstrong represented the state in this action. The Union County CALA office worked with the State on this matter.

Total Remodeling has agreed to pay \$123,500 to settle the alleged telemarketing violations and \$23,000 to reimburse the state for its investigative costs and attorneys' fees. The company also agreed to pay \$5,000 to settle alleged violations of the state's Consumer Fraud Act and/or accompanying regulations.

Under the settlement, Total Remodeling agreed to:

- Register with Consumer Affairs as a telemarketer before making future telemarketing calls;
- Refrain from calling customers on the No Telemarketing Call List;
- Refrain from representing to a customer that intra-state telemarketing sales calls are not subject to provisions of the Do Not Call Law;
- Train employees in telemarketing rules and procedures as legally required;
- Establish and implement written procedures to comply with the Do Not Call Law as legally required; and
- Disclose the name of the person calling, the name of the telemarketing entity making the call, the name of the person or entity on whose behalf the call is being made and the purpose of the call within the first 30 seconds as legally required.

"Let me ask all the telemarketers who aren't complying with our Do Not Call Law – can you hear me now? Our message is simple: obey the law or face the consequences. As we've shown in this matter, Consumer Affairs will investigate and take action on behalf of residents," Consumer Affairs Director Kimberly Ricketts said.

The settlement entered by the state and Total Remodeling constitutes a dismissal of all claims asserted in the action, including those alleged against Matrix Management and Marketing Group ("Matrix"), a company closely related to Total Remodeling and named in the May lawsuit. Total Remodeling has represented that Matrix did not make telemarketing calls as alleged.

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